

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 14-17 are pending in the present application, Claims 14-17 having been amended. Applicants respectfully submit that the support for the amendments to Claims 14-17 is self-evident from the originally filed application. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claim 14 was rejected under 35 U.S.C. §101 as directed toward nonstatutory subject matter; Claims 14-17 were rejected under 35 U.S.C. §112, second paragraph; and Claims 16 and 17 were indicated as being allowable if amended to overcome the rejection under 35 U.S.C. §112, second paragraph.

As for the rejection of Claim 14 under 35 U.S.C. §101, that rejection is respectfully traversed. Claim 14 is amended to recite, *inter alia*,

An information storage medium embodied as a recordable optical disc for use with an optical disc drive, wherein the recordable optical disc physically comprises a lead-in area located near a center of rotation of the disc, and a data area located outside of the lead-in area, said recordable optical disc including sectors for storing recorded information, and said recordable optical disc comprising:

a data area storing:

a plurality of error correction code blocks including the video object data...and

a control information recording area storing said control information....

The claimed video object data is included by the error correction code blocks which physically exist on the claimed optical disc, and the claimed control information is stored in the control information recording area which is a physical part of the claimed optical disc.

Applicants respectfully submit that the claimed medium embodied as a recordable optical disc is a new and useful manufacture as described in 35 U.S.C. §101.

Moreover, the MPEP provides that:

Office personnel have the burden to establish a *prima facie* case that the claimed invention as a whole is directed to solely an abstract idea or to manipulation of abstract ideas or does not produce a useful result. Only when the claim is devoid of any limitations to a practical application in a technological arts should it be rejected under 35 U.S.C. § 101 . . . Further, when such a rejection is made, office personnel must expressly state how the language of the claims has been interpreted to support the rejection. (emphasis added) See MPEP § 2106.

Amended Claim 14 is not devoid of any limitations to a practical application in a technological arts.

Further, should the Examiner disagree with the above, MPEP § 2106 also states that,

Whenever practicable, Office personnel should indicate how rejections may be overcome and how problems may be resolved. A failure to follow this approach can lead to unnecessary delays in the prosecution of the application.

Applicants respectfully submit that the rejection under 35 U.S.C. § 101 should be withdrawn. However, if the rejection under U.S.C. § 101 is to be maintained, applicants respectfully request that the Examiner provide an explanation of the rejection in view of the guidelines of MPEP § 2106.

With respect to the rejections under 35 U.S.C. §112, second paragraph, the present claims are amended as suggested by the outstanding Office Action. Applicants respectfully request that the rejections under 35 U.S.C. §112, second paragraph, be withdrawn.

Accordingly, in view of the present amendment and the previous discussion, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Joseph Wrkich  
Registration No. 53,796

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

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